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SUBJECT: ACCRA 2009 ANNUAL TIP REPORT

REF: STATE 132759
¶1. (SBU) SUMMARY: The Government of Ghana (GoG) continued to make progress during the reporting year toward combating trafficking in persons. The Ghana Police Service (GPS) was involved in several rescues, particularly of children; during July and August of 2008, nearly 200 children were rescued. In February, 2009, a Chinese prostitution ring in Accra was broken up, with three Chinese nationals arrested and seven women freed. The GoG allocated money to the Human Trafficking Fund in December, 2008, the first contribution in the reporting year. Training continued, particularly through the support of a DOL attorney housed within the Criminal Investigation Department of the Police. Through this effort over 350 officials received training in counter-trafficking.

¶2. (SBU) Despite the progress made, the GoG continued to have difficulty bringing traffickers to trial, and no convictions were obtained in the reporting year. Officials recognize the need for better planning prior to large rescues, but social service component, including the number of shelter beds, and the support available to victims of trafficking, remains limited and under-resourced. GoG officials recognize this deficiency, but lack resources to address. Statistics on trafficking remain difficult to assess, due to the lack of a centralized system for record keeping.
¶3. (U) Embassy Accra's TIP POC is Paul Stevenson, Political Officer, (233) 21 741 851.
¶4. (U) The points below correspond to the numbering/lettering per reftel.
¶5. (SBU) Ghana's TIP Situation (Question 23)
¶A. (SBU) Available sources of information on trafficking in persons from the Government of Ghana (GoG) include the Ministry of Employment and Social Welfare (MESW, formerly the Ministry of Manpower, Youth and Employment), the Ghana Police Service's (GSP) Criminal Investigations Department (CID) and Domestic Violence Victims Support Unit (DOVVSU), the Ministry of Women and Children's Affairs (MOWAC). International and non-governmental organizations include the International Organization for Migration and the International Labor Organization, UNICEF, and NGOs such as the Enslavement Prevention Alliance, West Africa. Ghana's 2005 Human Trafficking Act (HTA) established a Human Trafficking Management Board to make and coordinate counter-trafficking policy.
¶B. (SBU) Ghana is a country of origin, transit and destination for internationally trafficked women and children. Internal trafficking, particularly of children, is more common than cross-border trafficking. Children are trafficked from rural areas to urban areas, and from rural areas to other rural areas, such as from farming to fishing communities. The GoG has identified a number of source regions for child trafficking, which include the Central, Western, Volta and Greater Accra regions. Children from Central and Western Regions are trafficked to the Volta Region for work in the fishing industry. Children from the Northern Region are often trafficked to the more populated commercial centers of the south, including Accra, where they work as domestic servants, informal street sellers, and porters. A 2007 report by MOWAC on kayaaye, or street porters, in Accra, finds that the majority are from the northern regions of Ghana. Over 30,000 children are believed to be working in kayaaye in Accra alone.
Male children trafficked to the Volta Region are mainly used in fishing, while girls are used as domestic servants. The children often work long hours with limited food and medical care. Children

are used to free nets entangled in underwater snags in Lake Volta, a human-made impoundment. The IOM reports numerous deaths annually; many deaths are believed to not be reported.
International trafficking also occurs, with children both brought into and taken out of Ghana to work in agriculture and fisheries in Cote d'Ivoire, Nigeria and Togo. Trafficking of children from Burkina Faso is also believed to occur. Women are trafficked for the sex trade. In February, 2009, a group of Chinese nationals were freed from a prostitution ring in Accra. The traffickers were Chinese. In 2007, police broke up a prostitution ring moving West African women to Europe, via Ghana, a process which involved corrupt Ghanaian immigration officers.
¶C. (SBU) Economic conditions are the main cause of child trafficking in Ghana. Parents are often unable to provide adequate support for their children and so resort to sending their children to work for others, sometimes relatives, in the belief that the trafficking provides better opportunities for the children.
¶D. (SBU) Children from poor families are at risk of being trafficked in Ghana, primarily as a result of economic issues. See 5 B for additional information.
¶E. (SBU) In many cases, the traffickers are often known to members of the source community. Some may be former victims themselves or be related to the source family. Typically, they promise to find work for the children, and parents sometimes agree to "sell" their children. International traffickers do operate in Ghana. There is no evidence that marriage brokers or tourism agencies are involved. Employment agencies may be involved; the GPS is aware of a Ghanaian woman trafficked to Kuwait for employment purposes, although the exact method of her trafficking is not known.
¶6. (U) Setting the Scene for the GoG's Anti-TIP Efforts (Question 24)
¶A. (U) The GoG acknowledges that trafficking is a problem.
¶B. (SBU) Several agencies are involved in anti-TIP activities. The Ghana Police Service's CID investigates and makes arrests. The GPS also has a Domestic Violence Victims Support Unit (DOVVSU) which is involved in enforcement. The Ministry of Employment and Social Welfare operates a shelter for trafficked children, and conducts programs to prevent the exploitation of children, including in the cocoa industry. The MESW has responsibility under the Human Trafficking Act for countering child labor and child trafficking. The Ministry of Women and Children's Affairs plays an advocacy role, conducts surveys, provides training, and administers the Human Trafficking Fund. Activities are coordinated by a Human Trafficking Management Board which is coordinated by MOWAC.
¶C. (SBU) The GoG has limited resources in order to counter trafficking. There is a lack of trained personnel and financial resources. Law enforcement agencies have limited staff, transportation and other resources to enforce laws, and Ghana's long, porous borders makes cross-border trafficking relatively easy. Cultural issues also play a part-many Ghanaian communities do not see as exploitive the sending of children to work in urban areas, for example. A major constraint, evident in 2008-9, is the limitation on the resources of social service agencies and NGOs, including in the limited number of shelter beds available for rescued children or women. The Department of Social Welfare has one shelter in the Greater Accra area capable of housing up to one hundred children. Some private shelters exist, but are of limited capacity. Rescues-including several in 2008-result in significant planning and logistical issues in order to safely house children. A group of ten girls, rescued in August 2008, for example, spent the night in an Accra bus park while shelter was arranged for them the following day. In Western Ghana, a police rescue of 155 children being transported in four mini-buses to Cote d' Ivoire required the local chief to intervene and find local families for the children to stay with until they could be transported home. The MESW, GPS and others are aware of this problem, but lacked funds to create more shelter space. The Managing Director (chief civil servant) in the Ministry asked for assistance in creating more shelters. Along with beds, other support services, including counseling, are needed. The GOG's funding of the Human Trafficking Fund in late 2008 provided some resources. The fund was allocated 100,000 cedis ($75,000).
¶D. (SBU) The GoG attempts to monitor anti-trafficking activities through communication between governmental and NGO agencies. However, there is no single data base of victims, for example, so any statistics provided are potentially prone to over or under counting. The GoG readily provides information to EMBOFFs and others when requested and individual agencies produce regular reports.
¶7. (U) Investigation and Prosecution of Traffickers (Question 25)

¶A. (SBU) Ghana's Human Trafficking Act (HTA) became law in December, ¶2005. The law defines trafficking as "...the recruitment, transportation, transfer, harboring, trading or receipt of persons within and across national borders...". Trafficking in persons for the purpose of forced labor or sexual exploitation is covered under a provision of the law which states that "Exploitation shall include at the minimum, induced prostitution and other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs." Act (1) (4) of the law protects child victims, stating that, "the consent of the child, parents or guardian cannot be used as a defense in the prosecution." This clause is particularly important given cultural practices which include giving a child away to a distant relative. In 2008 Ghana's Parliament amended the act to amend the definition of trafficking to include "for the purpose of exploitation." The phrase had been mistakenly omitted from the definition when the law was passed in 2005. Section 39 of the HTA states that a criminal charge arising from an act of trafficking "does not afect the rights of a victim to pursue a civil claim for damages."
¶B. (SBU) The HTA does not differentiate penalties between trafficking for labor or for sexual exploitation. All convicted traffickers are to be sentenced to no less than five years in prison.
¶C. (SBU) As explained above, the law does not have different penalties for trafficking for the purpose of labor exploitation. According to the Act, Section (3) (1), "a person who provides another person for the purposes of trafficking commits an offense even when the person is a parent." Conviction for trafficking leads to a term of imprisonment of not less than five years. The law also provides for the punishment of labor recruiters. The HTA does not include specific punishments for the confiscation of documents or for the switching of work contracts.
¶D. (SBU) The mandatory sentence for rape in Ghana is 7 to 25 years in prison, compared to the HTA's "for a term of not less than five years" for trafficking.

¶E. (SBU) There were no prosecutions under the HTA in Ghana during the reporting period. In northern Ghana an Islamic religious instructor was charged under the Children's Act for the abuse of fifteen children who he forced into begging for alms. Despite requests from the CID, it is not clear why the regional public prosecutor did not amend the charge to Human Trafficking. Four Chinese nationals were arrested in February, 2009, for organizing a prostitution ring involving Chinese women. The case remains under investigation as of the date of this report with three traffickers in jail. The CID reports eleven additional cases under investigation. In six of the cases for which information is available, the trafficked victims were being exploited for their labor. In nine of the eleven cases, the victims were known to be under the age of eighteen; information was not available for the other cases. There were no convictions under the HTA during the reporting year. In 2008 the Public Prosecutors Office opened an anti-trafficking desk with three prosecutors who have received training in the HTA.
¶F. (SBU) In 2008 the GoG, working with an OPDAT funded DOJ prosecutor based in Accra, did provide training to officials in how to recognize, investigate and prosecute traffickers. The training reached over 350 officials in the Police Service, Social Welfare Department, Immigration Service and the Public Prosecutors Office. The training included a module on planning for large group rescues. The CID's Chief Superintendent for Organized Crime attributed several rescues in 2008 to better training. The OPDAT program ended in July, 2009. The MOWAC was, in late 2008, developing an educational curriculum on trafficking for use with security agencies. The Ministry, along with the Police, continued efforts to inform judges and others in the criminal justice system about the provisions of the HTL. Two judges and three public prosecutors received additional training, allowing for the creation of a TIP desk at the Attorney General's office.
¶G. (SBU) The GoG cooperates with other governments in the investigation of trafficking cases. The ECOWAS/ECCAS agreement signed in 2006 covers regional cooperation on trafficking issues. Ghana has in past reporting years cooperated with Nigeria, Togo and Cote d'Ivoire on trafficking issues.
¶H. (SBU) The GoG extradites persons charged with trafficking in other countries, including Ghanaian nationals. There were no extraditions during the reporting period.
¶I. (SBU) There is no evidence of widespread GoG involvement in or

tolerance in trafficking during the reporting period. In early 2008 an immigration official at Accra's international airport were transferred after several Nigerian women, on false travel documents, were trafficked through the airport. The official was believed to be taking bribes, but was not arrested. It is possible that such activities, particularly at the airport, may continue to occur.
¶J. (SBU) No GoG officials were found to be involved in trafficking during the reporting period.
¶K. (SBU) Prostitution is a crime in Ghana. If arrested, prostitutes and others involved in related activities (such as pimping) are changed with a misdemeanor which involves payment of a fine, but no jail time. Prostitution laws are rarely enforced. Ghana's laws also do not make patronizing a prostitute a crime, unless some other offense has occurred, such as defilement (sexual intercourse with a child under the age of sixteen). In 2008, Accra newspapers reported that some police officers were arresting prostitutes and releasing them in return for bribes or the performance of sexual acts.
¶L. (SBU) Ghana contributes military to UN and AU peacekeeping operations. There have been no known reports of Ghanaian peacekeepers involved in trafficking or the exploitation of victims of trafficking.
¶M. (SBU) International organizations, as well as local and international NGOs, work with trafficking victims. The International Organization of Migration (IOM) has a nationwide program to rescue, rehabilitate and reintegrate children who had been trafficked to southern Ghana to work in fishing villages along the Volta River and Lake. The IOM, working with the GoG, provides counseling and medical care to trafficking victims and assists them to return to their home villages. The IOM also provides micro-credit assistance to parents to improve their economic condition and help reduce re-trafficking.
The International Labor Organization (ILO) operates the LUTRENA project, which received initial funding from the U.S. Department of Labor and later support from DANIDA. LUTRENA focuses on child trafficking in the lower Volta basin, and introduced child trafficking watchdog communities in the sending communities.
The African Centre for Human Development (ACHD), Action Aid, Save the Children UK, Children in Need, Catholic Relief Services, Street Girls Aid, Enslavement Prevention Alliance-West Africa, UNICEF, the ILO/IPEC , the Gender and Human Rights Documentation Centre are organization working in the area of child labor and trafficking. The organizations conduct studies, support rescue operations, and provide post-rescue support and training and education for victims of trafficking and abuse. Re-trafficking, especially of children, remains a problem, however.
The ILO, with a $4.5 million USDOL grant, supports the Time Bound program, which works in twenty districts of Ghana. The program seeks to eliminate the worst forms of exploitive child labor, with the goal of withdrawing 4,700 children from such conditions and preventing another 5,300 from entering exploitive child labor. The program is funded through mid-2009.
¶8. (U) Protection and Assistance to Victims (Question 26)
¶A. (SBU) The HTA requires the Ministry of Women and Children's Affairs to provide temporary basic material support for the care and protection of victims of trafficking. Protection may include safe havens. In practice, the GoG works with NGOs to provide safe havens, such as for the Chinese women rescued in February, 2009, from a prostitution ring. However, resources are in practice limited.
¶B. (SBU) The Department of Social Welfare operates one shelter in the Greater Accra Region, with a capacity for one hundred children. NGOs operate a handful of additional shelters, such as the Osu Children's Home and the Ark (and some also serve orphans). WISE, a local NGO, operates a small shelter for women, including trafficking victims. Foreign victims have access to the limited shelter space. There are no shelters that specialize in care for male victims.
¶C. (SBU) The HTA requires the Ministry of Women and Children's Affairs to assist trafficking victims with counseling services and to assist with rehabilitation and reintegration, including job or skills training or financial assistance. The ILO Time Bound program (funded by a $4.5 million grant from the USDOL) has, among other activities, provided job and skill training for women brought out of the sex trades (although these women may not necessarily meet the definition of trafficked). In December, 2008, the MOWAC administered Human Trafficking Victims Fund was allocated by the GoG 100,000 cedis ($75,000). This is the first allocation in over two years. The fund is available to assist victims with basic material support, tracing of families, the construction of reception centers,

and other support activities. The GOG at the same time requested donor support for the fund.
¶D. (SBU) The HTA allows for both temporary and permanent legal status for trafficking victims to remain in Ghana. A victim may remain in the country legally during the period of the investigation and prosecution of the crime. If it is in the best interest of the trafficked person, the person may granted permanent status in Ghana, with the approval of the Minister of the Interior. The GoG is required, per the HTA, to provide shelter assistance.
¶E. (SBU) The GoG has limited resources to assist with longer-care shelter or other benefits for victims. The Trafficking Victims Fund was without an allocation until late in 2008. The HTA includes provisions for longer term shelter care.
¶F. (SBU) Post is not aware of a formal GoG referral process to transfer victims detained or in protective custody to short or long term care facilities. An informal system is more likely used, as case by case circumstances warrant.
¶G. (SBU) The Ghana Police Service reports 98 identified trafficking victims during the reporting year. In all but seven of the cases, the victims were being trafficked for labor; the other seven involved a prostitution ring. However, statistics are not kept in a centralized manner, and the number of victims is not comprehensive. In August, police in Western Ghana stopped four mini-vans carrying 155 children in the direction of Cote d'Ivorie, possibly for work in agriculture. The children were returned to their families. The case of fifteen children (including two Togolese children who have since been repartiated) rescued in July from an Islamic instructor in Northern Region also do not appear to be included in the statistics. The GoG did not allocate funds to its Human Trafficking Fund until late in 2008, so none of the victims received assistance from that source. It is not known how many of the victims received assistance from non-governmental social service agencies.
¶H. (SBU) Agencies within the GoG do attempt to proactively identify victims of trafficking among high risk populations. Informal steps are taken; please see 9-B for additional information.
¶I. (SBU) In general, victims' rights are respected. There were no known cases in the reporting period of victims being jailed, fined or prosecuted for other law violations.

¶J. (SBU) The GoG encourages victims to assist in the investigation and prosecution of trafficking. However, in many cases the victims are children who are often unable or afraid to provide significant help in the investigation. In one case, the traffickers administered oaths to the child victims as a means of intimidation. In the case of seven Chinese women trafficked to Ghana for a prostitution ring, the victims were encouraged to give, and did provide, statements to be used in court. Under Ghanaian law (and supported by the HTA), victims are able to file civil suits against their traffickers, although in reality this happens seldom, if at all. Victims may also sue for restitution.
¶K. (SBU) MOWAC in late 2008 was developing a curriculum of instruction on trafficking for use with the security agencies. The GoG does not provide training to its embassies in destination or transit countries. Ghana, like many African nations, has a limited number of foreign missions. In January, 2009, the Ghana Police approached POLOFF for advice on a Ghanaian victim of trafficking in Kuwait; Ghana does not have a diplomatic presence there. The number of victims assisted by Ghana's embassies is not known, but believed to be limited.
¶L. (SBU) The GoG has limited resources to provide assistance to its nationals in need of repatriation home.
¶9. (U) Prevention (Question 27)
¶A. (SBU) The GoG conducted anti-trafficking information and education campaigns during the reporting period. The MOWCA and the Ghana Police Service continue efforts inform government officials, including local government officials, about the HTA. Education programs are also conducted with community leaders and the general public.
¶B. (SBU) The GoG in 2008 began to collect data at ports of entry. However, law enforcement officials do not systematically screen for trafficking along the borders but are alert to obvious signs of trafficking, such as vehicles with numerous children. In August, 2008, police rescued twelve children in a vehicle near the CDI border; five of the children were reportedly from Benin. In July, police stopped four mini-vans in the Western Region, heading toward CDI, carrying 155 children. In another case, seventeen children were turned away from a border crossing on suspicion of being trafficked; the traffickers were later arrested but were released on

bail. Immigration officials received anti-trafficking training from the DOJ OPDAT official posted to Ghana.

¶C. (SBU) The HTA mandates the creation of a Human Trafficking Management Board. The Boards membership includes representatives of the involved GoG agencies (MOWAC, Police, Immigration, MESW, Local Government, Attorney-General , and the Ministries of Health and Education) and also four at large members and a member of the Ghana Journalist Association. IOM serves as a member, as do NGOs. In early 2009 planning has begun forming a coordinating council or coalition of involved NGOs, but such an organization does not currently exist. The Management Board is required to meet at least once every three months.

¶D. (SBU) The GoG in 2006 approved a National Plan of Action on Human Trafficking. The GoG is working to implement the plan through the HTA.

¶E. (SBU) Post is not aware of any steps the GoG has made to reduce the demand for commercial sex acts.

¶F. (SBU) Post is not aware of any steps taken by the GoG to reduce the participation of its nationals in international child sex tourism. There is little documented evidence of child sex tourism in Ghana-two Europeans were arrested 3-5 years ago in separate cases involving Ghanaian children. There is no evidence that Ghanaian adults travel abroad for the purpose of sex tourism.

¶G. (SBU) The Ghana Armed Forces regularly contributes troops to international peace keeping missions. Prior to peacekeeping deployments personnel receive training on human rights issues; however, this training does not include specific training on trafficking issues. A course on trafficking is being developed at the Kofi Annan International Peacekeeping Training Centre. ACOTA program training also deals with human rights issues and includes information on trafficking.

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